

UNITED STATES DEPARTMENT OF COMMERCE

PATENT AND TRADEMARK OFFICE

App. No: 09/944,995) Confirmation: 2432
)
Inventor: Arthur Charles Lindahl)
)
Filing Date: 08/31/2001)
)
TC/A.U.: 3765)
Docket: LINDAHL-CIP1)
EXAMINER: Nerbun, Peter)
Title:)
REMOVABLE EYEWEAR MEMBER)

) Fax:(703)306-3424

TC 3700 MAIL ROOM

OCT 27 2003

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10-30-03

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PROVISIONAL ELECTION OF SPECIES

Dear Examiner Nerbun:

In response to the Office Action of July 17, 2003, a response was due by August 17, 2003. A two month extension of time request accompanies this paper.

1. Of the embodiments offered the applicant provisionally elects the embodiment of Figure 46 if the Applicant is held to these embodiments.
2. The applicant has indicated that the embodiment of Figure 44, which was not mentioned in the list of species illustrated by Figure

numbers of the 07/17/2003 would be the preferred provisionally elected embodiment.

3. Further applicant urges that other embodiments are related to the embodiment of Figure 44 including the embodiments of Figures 45 and 46 which also have forwardly projecting hooks, as well as the embodiment of Figure 46.

Applicant therefore requests primarily that the embodiment of Figure 44 be elected as the primary provisional election and that the embodiments of Figures 45, 46, 47, and 43 be included. If the examiner agrees with the overall election of Figures 43-47, then this election can be considered as having been made without traverse.

Claims which relate to the embodiment of Figure 43-47 include claims 1, 2, 3, 4, 7, 8, 11, 12, 13, 14, 20, 21, 30, 31, 32, and 45 as relates to any one of the Figures 43-47, and additionally claim 5 relates to Figure 45, claim 6 to Figure 46, and claim 10 to Figure 47.

If the Examiner limits Applicant to any one of the Figures 43-47 it will include claims 1, 2, 3, 4, 7, 8, 11, 12, 13, 14, 20, 21, 30, 31, 32, and 45. Allowing all of Figures 43-47 will include, in addition to claims 1, 2, 3, 4, 7, 8, 11, 12, 13, 14, 20, 21, 30, 31, 32, and 45, claims 5, 6, & 10.

The embodiment elected relates to a carrier for a sealing member with the carrier having the ability to be carried adjacent conventional eyewear. The embodiment elected best relates to Figure 44.

A request to extend time for two months is included, as well as a check for \$210 to cover the fee for the time Extension.

The Examiner is invited to telephone Applicant's Attorney at the number below between the hours of 1:00 p.m. and 6:00 p.m. Eastern Standard Time, if such will advance this case.

Dated: October 17, 2003

Respectfully submitted:



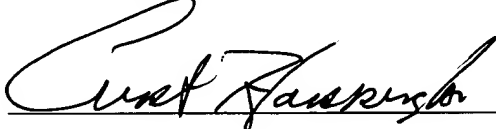
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